

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

NEW YORK LIFE INSURANCE CO.

CIVIL ACTION NO. 21-568

VERSUS

JUDGE ELIZABETH E. FOOTE

JUANITA GRACE METZGER, ET AL.

MAGISTRATE JUDGE HORNSBY

ORDER

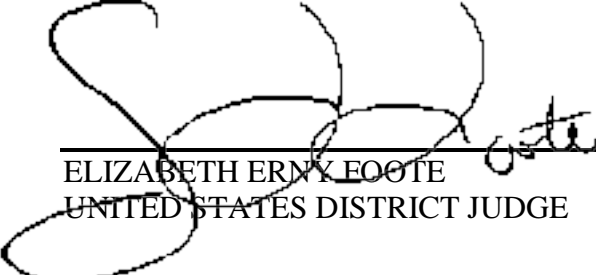
This is an interpleader action pursuant to 28 U.S.C. § 1335 involving competing claims to certain life insurance proceeds. Plaintiff New York Life Insurance Company (the “Company”) issued a life insurance policy to Ann F. Metzger (the “Insured”). Record Document 1, ¶s 6–8. On about July 23, 2020, the Insured died. *Id.* ¶ 11. Juanita Grace Metzger and Daniel Reynolds (collectively, “Defendants”) submitted competing claims for the death benefits from the life insurance policy. *Id.* ¶s 13–16. Because the Company could not determine factually or legally who was entitled to the death benefits, it commenced this interpleader action naming Juanita Metzger and Daniel Reynolds as Defendants and deposited the death benefit funds with the Court. The Company now seeks to be dismissed from the case and to enjoin Defendants from making claims against it related to the deposited funds because it claims that it has satisfied its obligations under the policy and has no interest in the death benefits. *See* 28 U.S.C § 2361; *Auto Parts Mfg. Miss., Inc. v. King Const. of Houston, L.L.C.*, 782 F.3d 186, 195 (5th Cir. 2015); *see also* 7 Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, *Federal Practice and Procedure* § 1714 (3d ed.) (“When the court decides that interpleader is available, it may issue an order discharging the stakeholder, if the stakeholder is disinterested.”)

Now before the Court is the Company's Motion for Discharge, Dismissal, and Other Relief in Interpleader. Record Document 17. The motion is unopposed.¹ Considering the unopposed motion and finding dismissal appropriate under the applicable law,

IT IS ORDERED that the Company's motion [Record Document 17] is **GRANTED**. The Company is **DISMISSED WITH PREJUDICE** from the case without fees or costs to any party. The Company is **DISCHARGED** of any and all liability to Defendants relating to the payment of the death benefits payable as a result of the death of the Insured and at issue in this litigation (the "Death Benefit"), which formed part of the AARP 5 Year Term Life Plus Policy certificate number A2048722 issued by the Company to the Insured. *See* 28 U.S.C. § 2361. Defendants are **PERMANENTLY ENJOINED** from filing any proceedings or making any claims against the Company related to the Death Benefit/interpleader funds without an order of this Court allowing the same. *See id.* This action shall be retained on the Court's docket for resolution of the claims to the Death Benefit.

A judgment in accordance with this order will be issued herewith.

THUS DONE AND SIGNED this 12th day of September, 2021.



ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT JUDGE

¹ The Company contacted Defendants about the present motion. Record Document 17-1, p. 7. The Company represented to the Court that Defendants do not oppose the relief sought. *Id.* Additionally, the Court issued a minute entry where it gave Defendants an opportunity to file a response as to whether they intended to oppose the motion. Record Document 23. The deadline for compliance was September 8, 2021. *Id.* Defendants failed to file anything into the record or contact the Court. Considering the lack of response and in accordance with the prior Court order, the motion is considered unopposed. *Id.*